

Nicholas E. Chimicles  
James R. Malone, Jr. (PA Bar No. 41885)  
(A Member of the Bar of this Court)  
Joseph G. Sauder  
CHIMICLES & TIKELLIS LLP  
One Haverford Centre  
361 West Lancaster Avenue  
Haverford, PA 19041  
610-642-8500 (telephone)  
610-649-3633 (fax)  
Email: jamesmalone@chimicles.com

Francis M. Gregorek (Bar. No 144785)  
WOLF HALDENSTEIN ADLER FREEMAN &  
HERZ, LLP  
Symphony Towers  
750 B Street, Suite 2770  
San Diego, California 92101  
619-239-4599 (telephone)  
619-234-4599 (fax)

ATTORNEYS FOR PLAINTIFF ALAN P. GORDON  
(Additional Counsel Listed on Signature Page)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re: TEXTAINER PARTNERSHIP  
SECURITIES LITIGATION

Master File No.  
C 05-00969 MMC

**NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE ; ORDER DISMISSING  
CASE NO. C-05-1146 ONLY**

This Document Relates To:

No. C 05-1146 MMC (Gordon)

PLEASE TAKE NOTICE that, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, plaintiff, Alan P. Gordon, hereby dismisses this action (No. 05-1146) without prejudice. Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Court approval of this dismissal is not required, as this is not a voluntary dismissal of the claims of a certified class. *See* Fed. R. Civ. P. 23(e)(1)(A); *see also* Fed. R. Civ. P. advisory committee's note (2003)("The new rule requires approval only if the claims, issues or defenses of a certified class are resolved by a settlement, voluntary dismissal, or compromise.").

Dated: October 6, 2005

CHIMICLES & TIKELLIS LLP

By: /s/ James R. Malone, Jr.

Nicholas E. Chimicles

James R. Malone, Jr. (PA Bar No. 41885)

(A Member of the Bar of this Court)

Joseph G. Sauder

One Haverford Centre

361 West Lancaster Avenue

Haverford, PA 19041

610-642-8500 (telephone)

610-649-3633 (fax)

[jamesmalone@chimicles.com](mailto:jamesmalone@chimicles.com)

WOLF HALDENSTEIN ADLER FREEMAN &  
HERZ LLP

Francis M. Gregorek (Bar No. 144785)

Symphony Towers

750 B Street, Suite 2770

San Diego, California 92101

619-239-4599 (telephone)

619-234-4599 (fax)

[gregorek@whafh.com](mailto:gregorek@whafh.com)

WOLF HALDENSTEIN ADLER FREEMAN &  
HERZ LLP

Lawrence P. Kolker

270 Madison Avenue

New York, New York 10016

212-545-4600

and

LABATON RUDOFF &  
SUCHAROW LLP  
Lawrence A. Sucharow  
Beth Hoffman  
100 Park Avenue  
New York, New York 10017  
212-907-0700

GLANCY BINKOW & GOLDBERG LLP  
Susan G. Kupfer (Bar No. 141724)  
455 Market Street, Suite 1810  
San Francisco CA 94105  
415-972-8160 (telephone)  
415-972-8166 (fax)  
skupfer@glancylaw.com

GLANCY BINKOW & GOLDBERG LLP  
Lionel Z. Glancy (Bar No. 134180)  
Michael Goldberg (Bar No. 188669)  
1801 Avenue of the Stars, Suite 311  
Los Angeles, CA 90067  
310-201-9150 (telephone)  
310-201-9160 (fax)

Attorneys for Plaintiff Alan P. Gordon

Dated: October 11, 2005

